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Why Can't We Be Just As "Diabolical" As Peking?

When Mme. Chiang Kai-shek suggested nuclear bombardment of mainland China on *Meet the Press* a few Sundays ago, no one called her diabolical. But when the Chinese Communists put into effect a 7-day cease-fire on Quemoy, "diabolical" was the term applied to it by her husband's government on Taipeh. Diabolical is a favorite word here in Washington, too, though no one ever applies it to Generals who give out interviews explaining how in umteen minutes they can destroy 50 cities in a certain country. If threats of mass destruction are by these definitions human, and cease-fires devilish, one can only conclude that Satan has fallen behind Man. Indeed how can old-fashioned hell fire compare with the agony beneath the mushroom cloud?

We Could Deprive Them of Moral Excuse

Our propaganda experts at State Department explain, of course, that the Communist Chinese by ordering a cease-fire and Krushchev by saying that he will not come to Peking's aid unless the U. S. attacks China are making it appear that the danger in the Far East is U. S. aggression. This, they say, is diabolical. But if this is diabolical, why can't we be diabolical, too? A public statement that we would no longer allow the offshore islands to be used for harassment of the mainland or the blockade of its ports would be "diabolical" in the same sense by putting the Chinese Communists wholly in the wrong if they resumed their attacks. If we wanted to be extra special devilish we could invoke our Middle Eastern precedents and invite the UN to establish observation posts on Quemoy and Matsu and so make it impossible for Peking even to claim they were being used for offensive purposes. Or would that be too diabolical for bluff, honest, straightforward Chiang Kai-shek?

Is It Always Disastrous to Back Down?

We have been told over and over again that our prestige and Chiang's would be damaged if we gave way on the offshore islands. In an interview which the *New York Herald-Tribune* printed Sunday, Oct. 5, Admiral Arleigh A. Burke, Chief of Naval Operations, said Chiang can't give up the islands and we can't ask him to "without giving up one of the most important things in the world to him and to us—prestige, standing up under fire for principles, little things, intangible things. If we retreat under fire and retreat under pressure, where does that leave us in the eyes of the rest of the world—and our own eyes? . . . It leaves you retreating under force and that is not good for your own soul." (We don't want to argue theology with the Most Rev. Admiral but we thought that in the ethic the Pentagon is defending it is supposed to be good to turn one's cheek?)

Now what the Admiral said is the kind of mystical romantic military nonsense which has bred wars for thousands of years. Is it always disastrous to back down? The Chinese Communists have backed down under pressure. They have called off their bombardment of Quemoy. It is as yet only for seven days and it is qualified by the condition that we stop convoying supplies and these conditions are face-savers but Mr. Dulles's partisans are already saying that the backdown proves his brinkmanship paid off. Why then do we fear that Peking has gained instead of lost by the move? If it is a sound principle never to back down under force, if a backdown on the offshore islands would undermine our position in Asia, why isn't a backdown on the offshore islands undermining theirs? Could it be that the rest of mankind will think better of Peking if it has the good sense not to blow Quemoy to bits in stubborn insistence on prestige?

The Real Principles at Stake

Quemoy is not worth a war to either side. Both Peking and Washington have been engaged in brinkmanship. The one which acknowledges it first will gain the most in world support. The real principle at stake here is the readiness to negotiate in a world which can no longer risk war. The real intangible is the respect which can be won by the nation that no longer takes the Admiral Burke view, the ethic of the duelist applied to the relations of nations.

Is Power Measurable Only in Magatons?

We wish we had room to reprint the whole interview with Admiral Burke, it is so beautiful a self-portrait of the military mind in action. We recommend a close reading of it to thoughtful students of the human tragedy. We want to touch on one point in it which seems to have been overlooked. In calling attention to the dangers of negotiation over Quemoy, the Admiral said "this leads up to a more important thing," the coming negotiations at Geneva over nuclear tests and prevention of surprise attack. The Chief of Naval Operations—a top post in terms of military influence on governmental policy—said he was afraid "when we go into these conferences we are going to have public pressure to give. You don't build up our future by giving. . . . We will end up by having less power, less capability." The Admiral seems to favor negotiation only if the other side does all the giving. For him power and capability are measured in military force, in nuclear weapons and megatons. This is the military mentality, to be found in Moscow and Peking as well as in Washington, which unless leashed will get mankind into trouble sooner or later as it stumbles from crisis to crisis, like a winded man across a treacherous bog, pursued by the phantoms of his own nature.

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The Only Hope Now Is For India to Lead A Nuclear Revolt in the UN

The news at press time of Gromyko's press conference in New York indicates that in Moscow, as in Washington, there is a faction hostile to a discontinuance of the nuclear arms race and strong enough to block action, though willing to let the issue be used for propaganda purposes. Just as the forces in Washington in favor of an agreement had managed to push and haul our own government to the point of a conference in Geneva on Oct. 31, the Russians now set up a new obstacle in the form of their demand for an "equal" number of tests. This could lead to interminable arguments on whether a small test equals a large, to charges of broken faith on sizes of tests, and to a "leap-frogging" of new tests in which each side insisted on holding just a few more after the other had declared itself ready for talks. Our prolonged and heavy test series (on which even the bare numbers have been kept secret) showed hostility to an agreement, as does the Dulles unwillingness to attend a Foreign Ministers Conference. But a conference will be more fruitful with Wadsworth than Dulles anyway, and an end must come some time. There will never be "parity"; both sides have enough nuclear weapons now to kill each other several times over. The only hope now is for India to lead a revolt against both sides in the UN and to pass its resolution for an immediate cessation of all testing *now*. To put Moscow on the spot will be to strengthen the peace forces there; to let the issue slide will be to help the Neanderthal military minds there as well as here.

Some Light Upon the Mystery of the New Cease-Fire on Quemoy

1. This is the second unilateral cease-fire by Peking. Shelling of Quemoy stopped when Chou En-lai on Sept. 6 declared his readiness to negotiate the issue. But in the *New York Times* of Sept. 9, Greg MacGregor reported from Taipeh that a Chinese Nationalist transport vessel carrying ammunition had been blown up "under the eyes of the crew aboard U. S. convoy ships" and said that "apparently" the use of "U. S. naval vessels for convoy escort" had caused a resumption of the firing.

2. Despite this past experience, Washington seemed still to be having trouble making up its mind whether to cease convoying supply ships during a cease-fire, as Peking demanded. The first reaction at State Department was to ignore the new cease-fire statement from Peking. This counsel was rejected but the Herter statement issued at 1 p. m. on Monday, Oct. 6, and cleared with the White House but not Dulles on Duck Island, left the matter of convoys ambiguous. It said that if the cease fire proved permanent, there would be no need for convoys. Dulles made no reference to convoys in his statement on returning to Washington Oct. 7, but (press time P. S.) convoys were ended next day.

3. Just what Dulles meant by his "new" attitude at press conference the week before is still nuclear. The tone of the President's letter to Senator Green and the fact that the Admiral Burke interview (see page 1) was cleared at State and White House as well as Pentagon for direct quotation does not indicate a softer policy in the East. Neither does the unofficial account here of the last bargaining session in Warsaw. Beam, when asked by the Chinese Communists what the Dulles press conference meant, said he was not authorized to interpret it and stood on the position that there must be a cease-fire first and then the U. S. would negotiate. The Peking one week cease fire statement was given to Beam Saturday night in Warsaw, a day in advance of its release.

In Plain Words

"Secretary Dulles, trying to placate the Chinese Nationalists, who took exception to his statements at a press conference that maybe the U. S. would suggest the Chinese ought to reduce their forces on Quemoy, has sent word to Generalissimo Chiang that there was a misunderstanding on his part.

"Mr. Dulles said there was a misconception on the part of the Chinese Nationalists about an 'exaggerated idea of a shift of position' on the part of the U. S.

"The Secretary of State said the misconception occurred because the Formosan press misinterpreted what he had to say and that the Nationalist Government made things worse by misinterpreting the misinterpretation.

"Mr. Dulles then left for a long week-end before we had time to say we thought he said what Chiang thought he said and we don't read Formosan papers."

—Wall Street Journal, Oct. 3.

"But both Chinese and U. S. officials privately expressed the belief Dulles was trying to quiet opposition to his offshore island policy lest it become a major issue in the U. S. congressional elections."

—Associated Press from Taipeh, Oct. 2.

Has the Bombardment of Quemoy (As Menon Charged) Been Exaggerated?

"The Chinese Communists, after having brutally and incessantly bombarded Quemoy for over six weeks . . ."

—Dulles, back from Duck Island, Oct. 7.

"A visitor to semi-blockaded Quemoy island . . . expecting to find much spectacular destruction, is more likely than not to be disappointed. Damage by shells from 152 mm. and 112 mm. guns—both Russian calibres—has been comparatively slight and the number of casualties lower than the figures sometimes given . . .

"Few shells have fallen so far on Quemoy City, the island's 'capital' . . . Now, unless the shelling appears dangerously near, life goes on much as usual in the streets and alleys . . . There does not seem to be any food shortage, and all the necessary ingredients for Chinese cooking are on sale in the shops . . .

". . . the morale of the 47,000 civilians and the military population of an estimated 60,000 combat troops seems excellent. This is due largely to the character of the present shelling and to a widespread conviction that a Communist assault on Nationalist-held offshore islands would meet with little success.

"It must be emphasized that the shelling has been a harassing and not a destructive bombardment, striking sporadically throughout the island and especially at landing beaches when the Communist radar detects some activity there. Observations posts near the mainland and the loudspeakers for broadcasting propaganda to the Communists have not been hit. None of the essential services—among them the island's broadcasting station and electric power plant—have been put out of action. . . ."

—"Quemoy Under Fire," The Times (London), Oct. 4.

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Do You Have to Be A Communist to Be Sure of Getting A Passport?

In the Worthy Case, Dulles Argues for Restricting Freedom of the Press

I telephoned the legal division of the State Department the morning after Federal Judge Edward M. Curran upheld the Secretary of State for refusing to give newspaperman William Worthy, Jr., a passport as a result of his visit to Communist China in the winter of 1956-57. I asked an officer of the Legal division, "How do you reconcile the Department's action in the Worthy case with the Supreme Court's decision last June in the *Kent* and *Briehl* cases?" "Oh," he replied, as if that were an easy one, "all the Court ruled in *Kent* and *Briehl* was that you couldn't refuse a man a passport because he's a Communist. That doesn't apply to Worthy. *He's* not a Communist."

This could be very funny. We might suggest that travel agencies—along with a photographer and a notary public—have handy a recruiting officer for the Communist party. Anybody having trouble getting a passport could for a nominal fee take out a Communist party membership and thus make sure of getting a passport. Under the Department's interpretation of *Kent* and *Briehl*, the would be travellers must at least be fellow travellers to benefit from the Supreme Court's ruling. They must be able to show, as Rockwell Kent and Dr. Walter Briehl could, that though not actual members of the party they at least belong to a respectable number of organizations on the Attorney General's list.

Setting An Example in Evasion

It's not at all funny. At a time when the Federal government is trying to get the South to obey Supreme Court decisions, the State Department is giving the Faubuses an example in evasion. The Court did not rule that you could not refuse a man a passport because he was a Communist. It ruled that under the only operative Federal law on passports, that of 1926, you could only refuse a passport on two grounds. One was lack of citizenship. The other was that the applicant was engaged in unlawful conduct.

The Department could try to convict Worthy of a criminal offense for using his passport in Communist China. It didn't try (1) because it is very doubtful that the passport restriction would be enforceable in a criminal prosecution and (2) it might have to take similar action against the two men who went into Communist China at the same time for *Look* magazine. Those men were not punished; they have been given new passports. The Department is trying to make an example of Worthy, perhaps figuring that as a young man with nothing behind him but the Afro-American, a Negro newspaper, the Department can get away with it.

Perhaps it can. The indifference manifested by most of the press is disturbing. We suggest that editors take a close look at Section V of the Memorandum of Points and Authorities filed on the State Department's behalf with Judge Curran. These reflect a very restrictive view of what constitutes freedom of the press. The Department would like if it could to establish these views in the Worthy case and then apply them more broadly. We hope on appeal that professional newspapermens' associations will help the American Civil Liberties Union, which is fighting the Worthy case, by filing briefs amicus curiae.

A Danger to Freedom of the Press

This is the gist of the Department's argument in its own words. "The constitutional right of freedom of the press refers *primarily*," we italicize the adverb, "to freedom to publish." Here it cites *Tucker's Blackstone*, a dubious legal antique since this embodied the Federalist interpretation of the First amendment, which would have whittled down freedom of the press to its precarious status in the older English common law. "There have always," the memorandum on behalf of the State Department continues, "been limitations on the right to gather news." The thin edge of the wedge here is the argument that the Department has the right, under its foreign policy powers, to restrict the gathering of news.

The Supreme Court in *Kent* and *Briehl* touched on the relation between freedom of travel and freedom of the press. It quoted Zechariah Chafee as writing, "Foreign correspondents . . . need first hand information . . . An American who has crossed the sea is not obliged to form his opinions about our foreign policy merely from what he is told by officials of our government . . . In many different ways direct contact with other countries contributes to sounder decisions at home."

The People's Right to Know

The right of a newspaperman to travel wherever he pleases is part of the people's right to be informed. This is why freedom of the press was written into the First Amendment on the insistence of men like Jefferson. The crisis over China policy vividly brings home to us again the living validity of their views.

But in the memorandum filed with the Court the State Department argues from other premises. "The requirements of national security and interest," it says, "coupled with the delicate characteristics of our foreign relations with Communist China . . . outweigh the rights which the Plaintiff asserts under the First Amendment." These are not the premises of free society. They assert the right of the Department to make decisions of life and death but to keep press and people from being fully informed about them.

Full Text of Federal Judge Curran's Decision in the Worthy Passport Case

"The conduct and exercise of foreign relations of the United States resides in the Executive Branch of the Government. Within the reasonable and proper exercise of foreign relations, the President of the United States may properly restrict the travel of certain citizens to certain designated geographical areas of the world when necessitated by foreign policy considerations.

"Now, a passport renewal may validly be denied to a person who, after a hearing, the Secretary of State has concluded would engage in activities in foreign countries prejudicial to the orderly conduct of foreign relations because the Secretary has reason to believe on the basis of his past conduct and evidence of his future conduct that he would, if his passport was renewed, violate the restricting endorsements contained therein.

"Under the circumstances of this case, the refusal of the Secretary of State to issue a passport to the plaintiff does not violate his rights under the First Amendment."

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Memo to the Editors of the Wall St. Journal and the New York Post:

Why Not Ask "Rock" and "Ave" What They Think About Quemoy?

The Governorship of New York is a stepping stone to the Presidency. Both Harriman and Rockefeller have their eyes on the White House. The biggest issue before the American people at the moment is on China policy, specifically and urgently the question of Quemoy. Yet neither candidate has said a word about the question, nor has it been put to them.

The *Wall Street Journal* and the *New York Post,* on their editorial pages, have been campaigning consistently for a saner policy in the Far East. The former went so far (see Oct. 3 issue) as to question the man-in-the-street on Formosa about Quemoy (and found him as indifferent as the average American). The latter has constantly complained of Democratic party silence on the issue. Why don't they put the Quemoy question to the gubernatorial candidates?

There are special reasons for questioning Harriman and Rockefeller. Harriman is thoroughly conversant with the problem. He was Truman's emissary to MacArthur in August, 1950, when the problem of the offshore islands and Formosa figured in the strategy of the Korean war. Harriman's memorandum to Truman on that mission (as printed in volume two of Truman's memoirs) is relevant now.

MacArthur Cynical About Chiang

MacArthur spoke to Harriman then "about the problem of the island of Quemoy, close to the mainland. The Generalissimo claims to have 70,000 men there which is important from the standpoint of eventually landing on the mainland, *but has no value to the U. S.*" (Our italics).

Harriman said he pointed out to MacArthur "the basic conflict of interest between the U. S. and the Generalissimo's position as to the future of Formosa, namely, the preventing of Formosa's falling into hostile hands." Harriman thought the best way to take care of American interest in Formosa "would be through the medium of the UN to establish an independent government."

Chiang, on the other hand, Harriman observed "had only the burning ambition to use Formosa as a stepping stone for his re-entry to the mainland." MacArthur took a cynical view of this, according to Harriman. MacArthur "recognized that this ambition could not be fulfilled, and yet thought it might be a good idea to let him land and get rid of him that way."

What Harriman stressed to MacArthur then is crucial again now. "I explained in great detail," Harriman reported to Truman, "why Chiang was a liability, and the great danger of a split in the unity of the United Nations on the Chinese-Communist-Formosa policies; the attitude of the British, Nehru, and such countries as Norway, who, although stalwart in their determination to resist Russian aggression, did not want to stir up trouble elsewhere. I pointed out . . . the complications that might result from any mis-steps in dealing with China and Formosa."

The Morality of Nuclear Weapons

There are equally compelling reasons for trying to get Rockefeller to break his silence. For he is chairman of the Rockefeller Brothers Fund panel which earlier this year published a report on *International Security: The Military Aspect* which advocated limited nuclear war for just such situations as now confront us on the Formosa straits. The basic thesis of that report was that the American people should be prepared psychologcally and politically for military showdowns not merely in cases of "overt aggression but also by transformations which are made to appear, insofar as possible, as not aggression at all. . . . Greece has furnished one example; Vietnam another; the Middle East still another. . . . We must also realize that non-overt aggressions present issues which are deliberately and intrinsically unclear."

Rockefeller's panel urged that we fight if necessary and with nuclear weapons rather than give in at such points even though the issues may be unclear. The prize sentence of the Rockefeller report (which should go into some anthology of inhumanity) is its defense of nuclear weapons. "Morality does not depend," the Rockefeller report says (p. 26), "on the type of explosive, but upon the use to which the explosive is put." Is this the way Rockefeller feels about Quemoy? Does he think it possible to wage a limited nuclear war with China? Would be use nuclear weapons against the artillery battering Quemoy?

IFS Speaks on Formosa Nov. 23, 8:30 p. m., Commander Hotel, 16 Garden St., Cambridge, Mass.

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